**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

PIL Writ Petition No.70 of 2002

ILS Legal Aid Centre and Ors. ..Petitioners.
vs
The State of Maharashtra and ors. ..Respondents

Mr Uday Warunjikar for the petitioners.
Mr. A.A.Kumbhakoni, Associate Advocate General, with Mr P.I. Khemani, AGP for respondent nos.1,3,4 and 5
Mr. J.K. Mistry, i/b M/s Sanjay Udeshi and CO for respondent No.10.
Mr. D.D. Mehta, i/b M/s Mulla and Mulla & Cragie Blunt and Caroe, for respondent No.11
Mr. K.K.Singhvi Senior Advocate for respondent No.14
Mr. R.S. Apte for Intervener.

With PIL Writ Petition No.129 of 2003

The National Federation of Blind,
Maharshtra ..Petitioner
vs
State of Maharashtra and ors ..Respondents

Mr. Uday Warunjikar for the petitioner.
Mr. A.A. K & J Pawan for respondent Nos 1 and 8
Mr. A.A.Garge i/b Mr. R.S. Apte for respondent No.3
Mr. P.P.Chavan i/b Little and Co for respondent No.5.

**CORAM: H.S. BEDI, C.J. ,&**
**V.M.KANADE, J.**
**DATE: 21st December, 2006.**

**P.C.:-**

Heard the learned counsel for the parties at some length on several occasions. It has been pointed out by Mr. Kumbhakoni, learned Associate Advocate General that the backlog for employment for physically challenged or disabled

persons has been largely filled up though some vacancies still exist. We accordingly direct that the State Government shall ensure that the backlog will be cleared not later than six months from today.

Mr. Warunjikar, the learned counsel for the petitioner has drawn our attention to the order of this court dated 26th April 2006 and pointed out that the final Government Resolution pertaining to the matter in hand can not be issued without the prior permission of this court and that the Government has not even taken the petitioners and other interested parties concerned into confidence with the result that till date no Government Resolution has even been framed. Mr. Kumbhakoni, has however, stated that a draft Government Resolution has been prepared in accordance with the suggestions made by the Committee set up by this Court and that this draft will be handed over to the learned counsel for all the parties herein and including those appearing in person and that before the Government Resolution is formally issued, suggestions of all concerned would be given serious consideration. Mr Mistry, the learned counsel appearing for some of the parties has also pointed out that several issues as regards posting and promotion of physically challenged persons

also arise for consideration. The learned counsel appearing for the interveners in Civil Application No.50 of 2006 has pointed out that the State Government had issued advertisements inviting applications from partially blind candidates ignoring those who were completely blind and as such those who suffered higher disabilities were being left out as their applications were not being accepted. We therefore request the learned counsel for the intervener to hand over the applications and her suggestions to Mr. Kumbhakoni who will forward the same to the Committee concerned. Mr. Kumbhakoni also states that the panel of writers who are required for helping those who are physically challenged will be completed not later than three months from today. With the above directions we dispose of these petitions as infructuous but with a rider that if any party or counsel feels that the State Government is not acting fairly or in accordance with the directions issued by this court from time to time, they would be at liberty to move this court in this very petition.

CHIEF JUSTICE

V.M.KANADE, J.